

WILLKIE FARR & GALLAGHER LLP

MARTIN KLOTZ
212 728 8688
mklotz@willkie.com

787 Seventh Avenue
New York, NY 10019-6099
Tel: 212 728 8000
Fax: 212 728 8111

May 8, 2014

By ECF and By Hand

Honorable John F. Keenan
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Coreolis Holdings, Inc., et al. v. George Soros, et al. (10-cv-8175)
Tradewinds Airlines, Inc. v. George Soros, et al. (08-cv-5901)

Dear Judge Keenan:

This letter responds to Ms. Werther's letter of earlier today regarding Defendants' summary judgment and *Daubert* briefs. We were in the process of responding to Plaintiffs with the proposal contained in this letter, but Ms. Werther wrote to Your Honor before we could make our proposal.

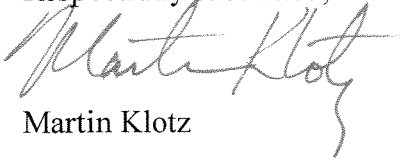
On May 2, 2014, Defendants served a 34-page memorandum of law in support of a motion for summary judgment and a separate 10-page memorandum of law in support of a *Daubert* motion to strike a portion of one of Plaintiffs' expert's testimony. We were uncertain whether the page limit Your Honor imposed applied to all motions combined or to the summary judgment motion only: there was no transcript of the conference and the lawyers on our side had limited recollections. We all felt and continue to feel that we addressed the issues raised by the motions economically.

Ms. Werther now contends that she is absolutely certain Your Honor imposed a single, 35-page limit on both motions combined. Rather than contest this issue, we propose that Defendants serve by Monday, May 12 a combined memorandum on our summary judgment and *Daubert* motions that is 35 pages or less. The new memorandum will not alter the summary judgment argument at all, and will simply condense, dramatically, the *Daubert* argument. We have already communicated this proposal to Plaintiffs, and advised them that the consolidated memorandum will not raise any new arguments.

Honorable John F. Keenan
Page 2

We believe the court would benefit, and no party would be prejudiced, by the original, fuller briefing of our *Daubert* motion (which Plaintiffs, of course, would be permitted to respond to separately, retaining the right to submit a 35-page memorandum in opposition to our summary judgment motion). We urge Your Honor to adopt this approach. But if Ms. Werther's recollection is correct and Your Honor believes a combined 35-page limit is appropriate, we will serve our consolidated memorandum by Monday, May 12. Since we have already advised Plaintiffs that the summary judgment argument will be unchanged and the *Daubert* argument simply shortened, this way of proceeding should not affect the remainder of the briefing and argument schedule.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Martin Klotz".

Martin Klotz

Cc: (via email)
All counsel